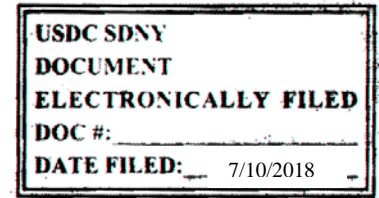


# EXHIBIT J

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X



**In re:**

**TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001**

**03-MDL-1570 (GBD)(SN)**

**AMENDED ORDER**  
**APPROVING NOTICES TO**  
**CONFORM, SHORT FORM**  
**COMPLAINTS, AND**  
**NOTICES OF AMENDMENT**

-----X

**SARAH NETBURN, United States Magistrate Judge:**

The Court has previously issued several orders approving forms and setting procedures for the filing of new claims against the Kingdom of Saud Arabia (“Saudi Arabia”) and the Islamic Republic of Iran (“Iran”). ECF Nos. 3543, 3982, 4010. Because of the piecemeal manner in which the various types of new claims have been addressed, the applicable forms and procedures have become convoluted and inconsistent. In addition, the plaintiffs have sought to find ways of adding more plaintiffs to a single case than the Court intended by utilizing a combination of short form complaints and notices of amendment. The Court is attempting to manage the influx of new cases and claims in the most efficient and organized manner possible. To that end, the Court will now establish new procedures governing all newly filed claims against Iran and Saudi Arabia. This Amended Order supersedes ECF Nos. 3543, 3982, and 4010 in their entirety. The parties are directed to adhere to both the letter and spirit of these procedures. In addition, any plaintiff wishing to withdraw from the case must seek leave from the Court to dismiss his or her claims in accordance with the Federal Rules of Civil Procedure and the Court’s Local Civil Rules.

As new complaints are being filed against Saudi Arabia and Iran, the Court would like to put all plaintiffs on notice that, in the event that liability is ultimately established against one or both of these defendants, solatium claimants shall be required to present documentary evidence of their family relationship to a 9/11 decedent for the Court's review. Such evidence would consist of birth or marriage certificates or, in their absence, sworn affidavits attesting to a family relationship eligible for recovery. For deceased solatium claimants, a death certificate or sworn affidavit shall be requested to ensure that the claimant did not predecease the 9/11 victim. Cf. ECF No. 3442, 3445 (orders vacating judgments against Islamic Republic of Iran and dismissing claims of solatium claimants who had pre-deceased victims). Although liability and damages are bifurcated in this case, the Court strongly encourages all plaintiffs to gather the necessary documentation before or shortly after the filing or amendment of their complaints because such documentation may be more difficult to obtain with the passage of time.

**Notice to Conform.** Any plaintiff who has a claim pending in this MDL may adopt the Consolidated Amended Complaint as to the Kingdom of Saudi Arabia, ECF No. 3463 [hereinafter the CAC], through the filing of a Notice to Conform substantially in the form attached hereto as Exhibit A. Upon filing a Notice to Conform, the plaintiff's underlying complaint shall be deemed amended to include the factual allegations, jurisdictional allegations, and jury trial demand of the CAC, as well as all causes of action specified in the Notice to Conform. The amendment effectuated by the Notice to Conform shall relate solely to Saudi Arabia, and shall not apply to any other defendant, as to which the plaintiff's underlying complaint and any amendments thereto shall remain controlling. If the underlying complaint of a plaintiff who files a Notice to Conform does not name Saudi Arabia as a defendant, the plaintiff shall be deemed to have added Saudi Arabia to his or her constituent case through the filing of

the Notice to Conform. Upon service of the Notice to Conform upon the defendant via ECF, the amendment of the plaintiff's underlying case to conform to the CAC shall be deemed to have been served. Any motion to dismiss or responsive pleading filed by Saudi Arabia in response to the CAC shall be deemed applicable to all actions in which a Notice to Conform is filed, regardless of when the Notice to Conform is filed. In addition, by filing a Notice to Conform, a plaintiff shall be deemed to be bound by all decisions rendered in this MDL that relate to all actions, regardless of when the Notice to Conform is filed.

By filing a Notice to Conform, a plaintiff shall not be deemed to have adopted any class-action allegations set forth the CAC or waived any right to object to class certification or to opt out of any certified class. The filing of a Notice to Conform also does not serve as a request for exclusion from any class that the Court may certify.

**Saudi Arabia Short Form Complaint.** Any plaintiff who has not yet filed a claim against Saudi Arabia, but intends to do so, may initiate an action against Saudi Arabia through the filing of a Saudi Arabia Short Form Complaint, substantially in the form attached hereto as Exhibit B. Any such new action initiated through the filing of a Saudi Arabia Short Form Complaint shall be filed as a new case and designated as related to this MDL. No more than 100 plaintiffs, including estate plaintiffs, may be included in a single Saudi Arabia Short Form Complaint. *All solatium claims must be filed on the same Saudi Arabia Short Form Complaint as the claims brought by the decedent family member's estate and must be counted toward the limit of 100 new plaintiffs.*

Counsel filing a new action through a Saudi Arabia Short Form Complaint shall submit a letter to the Honorable George B. Daniels and the Honorable Sarah Netburn, docketed in this MDL, requesting that the new action be made part of this MDL. Upon filing a Saudi Arabia

Short Form Complaint, a plaintiff shall be deemed to have asserted the factual allegations, jurisdictional allegations, and jury trial demand of the either the CAC or the Complaint Against the Kingdom of Saudi Arabia, Ashton v. Kingdom of Saudi Arabia, No. 17-CV-2003 (GBD)(SN) (S.D.N.Y. March 30, 2017), ECF No. 1 [hereinafter the Ashton Saudi Arabia Complaint], as well as all causes of action specified in the Saudi Arabia Short Form Complaint. After filing the Saudi Arabia Short Form Complaint via ECF, the filing plaintiff(s) shall timely submit an appropriate request for waiver of service to counsel for Saudi Arabia. Any motion to dismiss or responsive pleading filed by Saudi Arabia in response to the CAC or the Ashton Saudi Arabia Complaint, as applicable, shall be deemed applicable to all actions initiated through a Saudi Arabia Short Form Complaint, regardless of when the Saudi Arabia Short Form Complaint is filed. In addition, by filing a Saudi Arabia Short Form Complaint, a plaintiff shall be deemed to be bound by all decisions rendered in this MDL that relate to all actions, regardless of when the Saudi Arabia Short Form Complaint is filed.

By filing a Saudi Arabia Short Form Complaint, a plaintiff shall not be deemed to have adopted any class-action allegations set forth in the CAC or the Ashton Saudi Arabia Complaint or waived any right to object to class certification or to opt out of any certified class. The filing of a Saudi Arabia Short Form Complaint also does not serve as a request for exclusion from any class that the Court may certify.

**Iran Short Form Complaint.** Any plaintiff who has not yet filed a claim against Iran, but intends to do so, may initiate an action against Iran through the filing of an Iran Short Form Complaint, substantially in the form attached hereto as Exhibit C. Any such new action initiated through the filing of an Iran Short Form Complaint shall be filed as a new case and designated as related to this MDL. No more than 100 plaintiffs, including estate plaintiffs, may be included in


a single Iran Short Form Complaint. *All solatium claims must be filed on the same Iran Short Form Complaint as the claims brought by the decedent family member's estate and must be counted toward the limit of 100 new plaintiffs.*

Counsel filing a new action through an Iran Short Form Complaint shall submit a letter to the Honorable George B. Daniels and the Honorable Sarah Netburn, docketed in this MDL, requesting that the new action be made part of this MDL. Upon filing an Iran Short Form Complaint, a plaintiff shall be deemed to have asserted the factual allegations, jurisdictional allegations, and jury trial demand of either the Ashton Plaintiffs' Amended Consolidated Complaint Against Defendant, the Islamic Republic of Iran, ECF No. 3237 [hereinafter the Ashton Iran Complaint], or the Amended Complaint, Burnett v. Islamic Republic of Iran, No. 15-CV-9903 (GBD)(SN) (S.D.N.Y. Feb. 8, 2016), ECF No. 53 [hereinafter the Burnett Complaint], as well as all causes of action specified in the Iran Short Form Complaint. Any motion to dismiss or responsive pleading filed by Iran in response to the Ashton Iran Complaint or the Burnett Complaint, as applicable, shall be deemed applicable to all actions initiated through an Iran Short Form Complaint, regardless of when the Iran Short Form Complaint is filed. In addition, by filing an Iran Short Form Complaint, a plaintiff shall be deemed to be bound by all decisions rendered in this MDL that relate to all actions, regardless of when the Iran Short Form Complaint is filed.

By filing an Iran Short Form Complaint, a plaintiff shall not be deemed to have adopted any class-action allegations set forth in the Ashton Iran Complaint or the Burnett Complaint or waived any right to object to class certification or to opt out of any certified class. The filing of an Iran Short Form Complaint also does not serve as a request for exclusion from any class that the Court may certify.

**Notice of Amendment.** *New plaintiffs filing solatium claims with respect to a deceased family member whose estate was not a plaintiff before the date of this Amended Order may not use this procedure and must instead file their claims using the same Saudi Arabia Short Form Complaint or Iran Short Form Complaint as the deceased family member's estate.* A new plaintiff asserting claims for solatium damages with respect to a deceased family member whose estate filed claims against Saudi Arabia or Iran before the date of this Amended Order may be added to the existing case of the decedent's estate without seeking further leave from the Court by (1) filing a Notice of Amendment in the form attached hereto as Exhibit D (Saudi Arabia Notice of Amendment) or Exhibit E (Iran Notice of Amendment) in the existing civil case of the decedent's estate (not in the MDL), and then (2) adding the new plaintiff's name to the docket of the existing civil case on ECF. Names added onto the docket must be in First Name Last Name format, with only first letters capitalized (i.e., not written in all capitalized letters). No more than 25 new plaintiffs may be added to an existing case with a single Notice of Amendment. Attorneys wishing to add new plaintiffs using this procedure are strongly encouraged to contact the Clerk of Court and make arrangements to send members of their technical staff to court-sponsored training regarding the proper protocols for adding new plaintiffs to existing dockets. Plaintiffs added by this procedure need not re-serve defendants who have already been served. Any motion previously ruled on by the Court will be considered to have been filed and decided in the same manner and shall apply with equal force with regard to the claims of each new plaintiff.

**SO ORDERED.**

  
\_\_\_\_\_  
SARAH NETBURN  
United States Magistrate Judge

DATED: July 10, 2018  
New York, New York

**EXHIBIT A**



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X

**In re:**

**03-MDL-1570 (GBD)(SN)**

**TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001**

**NOTICE TO CONFORM TO  
CONSOLIDATED AMENDED  
COMPLAINT**

-----X

This document relates to: \_\_\_\_\_,

No. \_\_\_\_\_.

Plaintiffs in the above-mentioned previously filed case file this Notice to Conform to the Consolidated Amended Complaint as to the Kingdom of Saudi Arabia, ECF No. 3463, as permitted and approved by the Court's Order of June \_\_\_\_, ECF No. \_\_\_\_\_. Upon filing of this Notice to Conform, Plaintiffs' underlying Complaint, ECF No. \_\_\_\_\_, is deemed amended to include the factual allegations, jurisdictional allegations, and jury trial demand of the Consolidated Amended Complaint, as well as all causes of action specified below. The amendment effected through this Notice to Conform supplements by incorporation into, but does not displace, plaintiffs' underlying Complaint. This Notice to Conform relates solely to the Kingdom of Saudi Arabia and does not apply to any other defendant, as to which plaintiffs' underlying Complaint and any amendments thereto are controlling.

Upon filing this Notice to Conform, each Plaintiff is deemed to have adopted all factual and jurisdictional allegations of the Consolidated Amended Complaint; all prior filings in connection with the Consolidated Amended Complaint; and all prior Orders and rulings of the Court in connection with the Consolidated Amended Complaint.

## VENUE

1. Plaintiffs' case is part of the multi-district proceeding In re Terrorist Attacks on September 11, 2001, 03-MDL-1570 (GBD)(SN), established by the Judicial Panel on Multidistrict Litigation for coordinated or consolidated pre-trial proceedings in the United States District Court for the Southern District of New York.

## IDENTIFICATION OF PLAINTIFFS

2. Plaintiffs filing this Notice to Conform are identified in their underlying Complaint, ECF No. \_\_\_\_\_, and are incorporated herein by reference.

3. Plaintiffs have described their particular injuries and the nexus between those injuries and the September 11th attacks in their underlying Complaint, which allegations are incorporated herein by reference.

## CAUSES OF ACTION

4. Plaintiffs hereby adopt and incorporate herein by reference the following causes of action set forth in the Consolidated Amended Complaint, ECF No. 3463 (check all that apply):

- ☐ COUNT I – Aiding and Abetting and Conspiring with Al Qaeda to Commit the September 11th Attacks upon the United States in violation of 18 U.S.C. § 2333(d) (JASTA).
- ☐ COUNT II – Aiding and Abetting and Conspiring with Al Qaeda to Commit the September 11th Attacks upon the United States in violation of 18 U.S.C. § 2333(a).
- ☐ COUNT III – Committing Acts of International Terrorism in violation of 18 U.S.C. § 2333.
- ☐ COUNT IV – Wrongful Death.
- ☐ COUNT VI – Alien Tort Claims Act.
- ☐ COUNT VII – Assault and Battery.

- ☐ COUNT VIII – Conspiracy.
- ☐ COUNT IX – Aiding and Abetting.
- ☐ COUNT X – Intentional Infliction of Emotional Distress.
- ☐ COUNT XII – Liability Pursuant to Restatement (Second) of Torts § 317 and Restatement (Third) of Agency § 7.05: Supervising Employees and Agents.
- ☐ COUNT XIII – Liability Pursuant to Restatement (Second) of Torts § 317 and Restatement (Third) of Agency § 7.05: Hiring, Selecting, and Retaining Employees and Agents.
- ☐ COUNT XIV – 18 U.S.C. § 1962(a)–(d) – CIVIL RICO.
- ☐ COUNT XV – Trespass.
- ☐ COUNT XVI – Violations of International Law.

Plaintiffs’ constituent case shall be deemed subject to any motion to dismiss the Consolidated Amended Complaint or answer to the Consolidated Amended Complaint filed by the Kingdom of Saudi Arabia. By way of filing this Notice, plaintiffs shall not be deemed to have adopted any class-action allegations set forth in the Consolidated Amended Complaint, waived any right to object to class certification, or opted out of any certified class. This Notice also does not serve as a request for exclusion from any class that the Court may certify.

Dated: \_\_\_\_\_

Respectfully submitted,

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COUNSEL FOR PLAINTIFFS

**EXHIBIT B**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X

**In re:**

**03-MDL-1570 (GBD)(SN)**

**TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001**

-----X

**XXX  
XXX,**

**XX-CV-XXXXX (GBD)(SN)**

**Plaintiff(s),**

**-against-**

**SAUDI ARABIA SHORT FORM  
COMPLAINT AND DEMAND  
FOR TRIAL BY JURY**

**KINGDOM OF SAUDI ARABIA,**

**Defendant.**

-----X

Plaintiffs named herein by and through the undersigned counsel file this Short Form Complaint against Defendant, the Kingdom of Saudi Arabia, arising out of the September 11, 2001 terrorist attacks (“September 11, 2001 Terrorist Attacks”), as permitted and approved by the Court’s Order of June \_\_\_, 2018, ECF No. \_\_\_\_\_. Each Plaintiff incorporates by reference the specific allegations, as indicated below, of (a) the Consolidated Amended Complaint as to the Kingdom of Saudi Arabia, ECF No. 3463, or (b) the Complaint Against the Kingdom of Saudi Arabia, Ashton v. Kingdom of Saudi Arabia, No. 17-CV-2003 (GBD)(SN) (S.D.N.Y. Mar. 30, 2017), ECF No. 1.

Upon filing this Saudi Arabia Short Form Complaint, each Plaintiff is deemed to have adopted all factual and jurisdictional allegations of the complaint that has been joined as

specified below; all prior filings in connection with that complaint; and all prior Orders and rulings of the Court in connection with that complaint.

### **VENUE**

1. Venue in this district is proper pursuant to 28 U.S.C. §§ 1391(b)(2) and 1391(f)(1), as a substantial part of the events giving rise to the claims asserted herein occurred in this district. Venue is also proper in this district pursuant to 18 U.S.C. § 2334(a).

### **JURISDICTION**

2. Jurisdiction is premised on the grounds set forth in the complaints specified below, and further, jurisdiction of this Saudi Arabia Short Form Complaint is premised upon and applicable to all defendants in this action:

- ☐ 28 U.S.C. § 1605(a)(5) (non-commercial tort exception)
- ☐ 28 U.S.C. § 1605B (Justice Against Sponsors of Terrorism Act)
- ☐ 28 U.S.C. § 1330 (actions against foreign states)
- ☐ Other (set forth below the basis of any additional ground for jurisdiction and plead such in sufficient detail as per the FRCP): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

### **CAUSES OF ACTION**

3. Each Plaintiff hereby adopts and incorporates herein by reference the following factual allegations, jurisdictional allegations, and jury trial demand in the following complaint [**check only one complaint**] and the following causes of action set forth in that complaint:

- ☐ **Consolidated Amended Complaint as to the Kingdom of Saudi Arabia, ECF No. 3463 (check all causes of action that apply)**
- ☐ COUNT I – Aiding and Abetting and Conspiring with Al Qaeda to Commit the September 11th Attacks upon the United States in violation of 18 U.S.C. § 2333(d) (JASTA).
- ☐ COUNT II – Aiding and Abetting and Conspiring with Al Qaeda to Commit the September 11th Attacks upon the United States in violation of 18 U.S.C. § 2333(a).
- ☐ COUNT III – Committing Acts of International Terrorism in violation of 18 U.S.C. § 2333.
- ☐ COUNT IV – Wrongful Death.
- ☐ COUNT VI – Alien Tort Claims Act.
- ☐ COUNT VII – Assault and Battery.
- ☐ COUNT VIII – Conspiracy.
- ☐ COUNT IX – Aiding and Abetting.
- ☐ COUNT X – Intentional Infliction of Emotional Distress.
- ☐ COUNT XII – Liability Pursuant to Restatement (Second) of Torts § 317 and Restatement (Third) of Agency § 7.05: Supervising Employees and Agents.
- ☐ COUNT XIII – Liability Pursuant to Restatement (Second) of Torts § 317 and Restatement (Third) of Agency § 7.05: Hiring, Selecting, and Retaining Employees and Agents.
- ☐ COUNT XIV – 18 U.S.C. § 1962(a)–(d) – CIVIL RICO.
- ☐ COUNT XV – Trespass.
- ☐ COUNT XVI – Violations of International Law.
- ☐ **Complaint Against the Kingdom of Saudi Arabia, *Ashton v. Kingdom of Saudi Arabia*, No. 17-CV-2003 (GBD)(SN) (S.D.N.Y. Mar. 30, 2017), ECF No. 1 (check all causes of action that apply)**
- ☐ First Cause of Action to Recover Wrongful Death Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *et seq.* (the Anti-Terrorism Act or ATA)

- ☐ First Cause of Action to Recover Personal Injury Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *et seq.* (the Anti-Terrorism Act or ATA)
- ☐ Second Cause of Action for Wrongful Death Damages Pursuant to State Tort Law
- ☐ Second Cause of Action for Personal Injury Damages Pursuant to State Tort Law
- ☐ Third Cause of Action for Wrongful Death Damages Pursuant to the Alien Tort Claims Act
- ☐ Third Cause of Action for Personal Injury Damages Pursuant to the Alien Tort Claims Act
- ☐ Each Plaintiff asserts the following additional theories and/or Causes of Action against the Kingdom of Saudi Arabia: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

#### **IDENTIFICATION OF PLAINTIFFS**

4. The following allegations and information are alleged on behalf of each individual who is bringing this claim, as indicated on Appendix 1 to this Saudi Arabia Short Form Complaint, herein referred to as “Plaintiffs.”

- a. The citizenship/nationality of each Plaintiff is indicated at Appendix 1 to this Saudi Arabia Short Form Complaint.
- b. Plaintiff is entitled to recover damages on the causes of action set forth in this Saudi Arabia Short Form Complaint.
- c. As indicated at Appendix 1, Plaintiff (i) is the estate representative of someone who was killed as a result of the September 11, 2001 Terrorist Attacks; (ii) is the surviving immediate family member of someone who was killed as a result of the September 11, 2001 Terrorist Attacks; and/or (iii) suffered physical injuries as a result of the September 11, 2001 Terrorist Attacks.
- d. For those plaintiffs with personal injury claims, as indicated in Appendix 1, on or after September 11, 2001, said Plaintiff was present at the Pentagon and/or



the World Trade Center site and/or its surroundings and/or lower Manhattan and/or at an area wherein he/she was exposed to toxins as a result of the terrorist attacks and was exposed to toxins from the attacks, and/or was otherwise injured, and/or as otherwise alleged, as stated specifically in Appendix 1.

- e. For those plaintiffs with personal injury and/or wrongful death claims, as indicated in Appendix 1, as a direct, proximate and foreseeable result of Defendant's actions or inactions, Plaintiff or his or her decedent suffered bodily injury and/or death, and consequently economic and other losses, including but not limited to pain and suffering, emotional distress, psychological injuries, and loss of enjoyment of life, and/or as described in the Saudi Arabia Short Form Complaint, and/or as otherwise may be specified in subsequent discovery proceedings, and/or as otherwise alleged in Appendix 1.
- f. The name, relationship to the injured and/or deceased September 11 victim, residency, citizenship/nationality, and the general nature of the claim for each plaintiff asserting wrongful death and/or solatium claims is listed on the attached Appendix 1, and is incorporated herein as allegations, with all allegations of the related complaints, as specified above, deemed alleged as to each Plaintiff.

#### **IDENTIFICATION OF THE DEFENDANT**

- 5. The only Defendant named in this Saudi Arabia Short Form Complaint is the Kingdom of Saudi Arabia.

#### **NO WAIVER OF OTHER CLAIMS**

- 6. By filing this Saudi Arabia Short Form Complaint, Plaintiff(s) is/are not waiving any right to file suit against any other potential defendants or parties.

- 7. By filing this Saudi Arabia Short Form Complaint, Plaintiff(s) are not opting out of any class that the Court may certify in the future.

#### **JURY DEMAND**

- 8. Each Plaintiff hereby demands a trial by jury as to the claims in this action.

WHEREFORE, Plaintiffs pray for relief and judgment against Defendant as set forth in this Saudi Arabia Short Form Complaint as appropriate.

Dated: \_\_\_\_\_

Respectfully submitted,

\_\_\_\_\_  
COUNSEL FOR PLAINTIFFS

## APPENDIX 1

Each line below is deemed an allegation, incorporating the allegations, language, and references within the Saudi Arabia Short Form Complaint to which this Appendix 1 is appended and shall be referenced as Allegation 1 of Appendix 1 to the Saudi Arabia Short Form Complaint, Allegation 2 of Appendix 1 to the Saudi Arabia Short Form Complaint, etc.

	<b>Plaintiff's Name (alphabetical by last name)</b>	<b>Plaintiff's State of Residency at Filing (or death)</b>	<b>Plaintiff's Citizenship/ Nationality on 9/11/2001</b>	<b>9/11 Decedent's Full Name</b>	<b>Plaintiff's Relationship to 9/11 Decedent</b>	<b>9/11 Decedent's Citizenship/ Nationality on 9/11/2001</b>	<b>Nature of Claim (wrongful death, solatium, personal injury)</b>
1							
2							
3							
4							
5							

**EXHIBIT C**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X

**In re:**

**03-MDL-1570 (GBD)(SN)**

**TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001**

-----X

**XXX  
XXX,**

**Plaintiff(s),**

**XX-CV-XXXXXX (GBD)(SN)**

**-against-**

**ISLAMIC REPUBLIC OF IRAN,**

**IRAN SHORT FORM  
COMPLAINT AND DEMAND  
FOR TRIAL BY JURY**

**Defendant.**

-----X

Plaintiffs named herein by and through the undersigned counsel file this Short Form Complaint against Defendant, the Islamic Republic of Iran (“Iran”), arising out of the September 11, 2001 terrorist attacks (“September 11, 2001 Terrorist Attacks”), as permitted and approved by the Court’s Order of June \_\_\_, 2018, ECF No. \_\_\_\_\_. Each Plaintiff incorporates by reference the specific allegations, as indicated below, of (a) the Federal Insurance and Ashton Plaintiffs’ Amended Consolidated Complaint Against Defendant, the Islamic Republic of Iran, ECF No. 3237, or (b) the Amended Complaint, Burnett v. Islamic Republic of Iran, No. 15-CV-9903 (GBD)(SN) (S.D.N.Y. Feb. 8, 2016), ECF No. 53.

Upon filing this Iran Short Form Complaint, each Plaintiff is deemed to have adopted all factual and jurisdictional allegations of the complaint that has been joined as specified below; all

causes of action contained within that complaint; all prior filings in connection with that complaint; and all prior Orders and rulings of the Court in connection with that complaint.

Additionally, each Plaintiff incorporates the factual allegations and findings contained in those pleadings and orders filed at Havlish v. Bin Laden, No. 1:03-CV-9848 (GBD)(SN) (S.D.N.Y.), ECF Nos. 263, 294, 295; In re Terrorist Attacks on September 11, 2001, 03-MDL-1570 (GBD)(SN) (S.D.N.Y.), ECF Nos. 2430, 2431, 2432, 2433, 2473, 2515, 2516; and evidence submitted at the proceedings before the Honorable George B. Daniels on December 15, 2011 (ECF No. 2540).

### **VENUE**

1. Venue in this district is proper pursuant to 28 U.S.C. §§ 1391(b)(2) and 1391(f)(1), as a substantial part of the events giving rise to the claims asserted herein occurred in this district. Venue is also proper in this district pursuant to 18 U.S.C. § 2334(a).

### **JURISDICTION**

2. Jurisdiction against the Islamic Republic of Iran is premised on the grounds set forth in the complaints specified below, including but not limited to 28 U.S.C. § 1605(a) (tort exception to the Foreign Sovereign Immunities Act), 28 U.S.C. § 1605A (terrorism exception to the Foreign Sovereign Immunities Act), and 28 U.S.C. § 1605B (Justice Against Sponsors of Terrorism Act).

### **CAUSES OF ACTION**

3. Each Plaintiff hereby adopts and incorporates by reference all factual allegations, jurisdictional allegations, and jury trial demand, including all causes of action against the Islamic Republic of Iran, as set forth in the following complaint [**check only one complaint**]:

- ☐ Federal Insurance and Ashton Plaintiffs' Amended Consolidated Complaint Against Defendant, the Islamic Republic of Iran, ECF No. 3237

- ☐ Amended Complaint, Burnett v. Islamic Republic of Iran, No. 15-CV-9903 (GBD)(SN) (S.D.N.Y. Feb. 8, 2016), ECF No. 53

4. In addition, each Plaintiff hereby asserts the following additional causes of action:

- ☐ Iran Short Form Complaint First Cause of Action to Recover Wrongful Death Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *et seq.* (the Anti-Terrorism Act or ATA)

As a factual basis for this cause of action, Plaintiff(s) allege that the allegations set forth in the complaint noted above, as well as the allegations set forth in the Havlish filings noted above, establish that, as set forth herein, the injuries they suffered arose from the September 11, 2001 Terrorist Attacks; Defendant's role in the September 11, 2001 Terrorist Attacks constituted acts of international terrorism that violated state and federal laws pursuant to 18 U.S.C. § 2331; that the September 11, 2001 Terrorist Attacks constituted acts of international terrorism committed, planned or authorized by an organization that had been designated as a foreign terrorist organization under 8 U.S.C. § 1189; that the September 11, 2001 Terrorist Attacks violated state and federal laws pursuant to 18 U.S.C. § 2331; and that Defendant aided and abetted, by knowingly providing substantial assistance, with others and/or conspired with others who committed an act or acts of international terrorism in violation of 18 U.S.C. § 2333 *et seq.*

- ☐ Iran Short Form Complaint First Cause of Action to Recover Personal Injury Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *et seq.* (the Anti-Terrorism Act or ATA)

As a factual basis for this cause of action, Plaintiff(s) allege that the allegations set forth in the complaint noted above, as well as the allegations set forth in the Havlish filings noted above, establish that, as set forth herein, the injuries they suffered arose from the September 11, 2001 Terrorist Attacks; Defendant's role in the September 11, 2001 Terrorist Attacks constituted acts of international terrorism that violated state and federal laws pursuant to 18 U.S.C. § 2331; that the September 11, 2001 Terrorist Attacks constituted acts of international terrorism committed, planned or authorized by an organization that had been designated as a foreign terrorist organization under 8 U.S.C. § 1189; that the September 11, 2001 Terrorist Attacks violated state and federal laws pursuant to 18 U.S.C. § 2331; and that Defendant aided and abetted, by knowingly providing substantial assistance, with others and/or conspired with others who committed an act or acts of international terrorism in violation of 18 U.S.C. § 2333 *et seq.*

## IDENTIFICATION OF NEW PLAINTIFFS

5. The following allegations and information are alleged on behalf of each individual who is bringing this claim, as indicated on Appendix 1 to this Iran Short Form Complaint, herein referred to as “Plaintiffs.”

- a. The citizenship/nationality of each Plaintiff is indicated at Appendix 1 to this Iran Short Form Complaint.
- b. Plaintiff is entitled to recover damages on the causes of action set forth in the complaint identified above, as joined by this Iran Short Form Complaint, and as further asserted within this Iran Short Form Complaint.
- c. As indicated at Appendix 1, Plaintiff (i) is the estate representative of someone who was killed as a result of the September 11, 2001 Terrorist Attacks; (ii) is the surviving immediate family member of someone who was killed as a result of the September 11, 2001 Terrorist Attacks; and/or (iii) suffered physical injuries as a result of the September 11, 2001 Terrorist Attacks.
- d. For those plaintiffs with personal injury claims, as indicated in Appendix 1, on or after September 11, 2001, said Plaintiff was present at the Pentagon and/or the World Trade Center site and/or its surroundings and/or lower Manhattan and/or at an area wherein he/she was exposed to toxins as a result of the terrorist attacks and was exposed to toxins from the attacks, and/or was otherwise injured, and/or as otherwise alleged, as stated specifically in Appendix 1.
- e. For those plaintiffs with personal injury and/or wrongful death claims, as indicated in Appendix 1, as a direct, proximate and foreseeable result of Defendant’s actions or inactions, Plaintiff or his or her decedent suffered bodily injury and/or death, and consequently economic and other losses, including but not limited to pain and suffering, emotional distress, psychological injuries, and loss of enjoyment of life, and/or as described in the Iran Short Form Complaint, and/or as otherwise may be specified in subsequent discovery proceedings, and/or as otherwise alleged in Appendix 1.
- f. The name, relationship to the injured and/or deceased September 11 victim, residency, citizenship/nationality, and the general nature of the claim for each plaintiff asserting wrongful death and/or solatium claims is listed on the attached Appendix 1, and is incorporated herein as allegations, with all allegations of the related complaints, as specified above, deemed alleged as to each Plaintiff.



**IDENTIFICATION OF THE DEFENDANT**

6. The only Defendant named in this Iran Short Form Complaint is the Islamic Republic of Iran.

**NO WAIVER OF OTHER CLAIMS**

7. By filing this Iran Short Form Complaint, Plaintiff(s) is/are not waiving any right to file suit against any other potential defendants or parties.

8. By filing this Iran Short Form Complaint, Plaintiff(s) are not opting out of any class that the Court may certify in the future.

**JURY DEMAND**

9. Each Plaintiff hereby demands a trial by jury as to the claims in this action.

WHEREFORE, Plaintiffs pray for relief and judgment against Defendant as set forth in this Iran Short Form Complaint as appropriate.

Dated: \_\_\_\_\_

Respectfully submitted,

\_\_\_\_\_  
COUNSEL FOR PLAINTIFFS

## APPENDIX 1

Each line below is deemed an allegation, incorporating the allegations, language, and references within the Iran Short Form Complaint to which this Appendix 1 is appended and shall be referenced as Allegation 1 of Appendix 1 to the Iran Short Form Complaint, Allegation 2 of Appendix 1 to the Iran Short Form Complaint, etc.

	<b>Plaintiff's Name (alphabetical by last name)</b>	<b>Plaintiff's State of Residency at Filing (or death)</b>	<b>Plaintiff's Citizenship/ Nationality on 9/11/2001</b>	<b>9/11 Decedent's Full Name</b>	<b>Plaintiff's Relationship to 9/11 Decedent</b>	<b>9/11 Decedent's Citizenship/ Nationality on 9/11/2001</b>	<b>Nature of Claim (wrongful death, solatium, personal injury)</b>
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**EXHIBIT D**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X

**In re:**

**TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001**

**03-MDL-1570 (GBD)(SN)**

**SAUDI ARABIA  
NOTICE OF AMENDMENT**

-----X

This document relates to: \_\_\_\_\_,

No. \_\_\_\_\_.

Plaintiffs file this Notice of Amendment with respect to the underlying Complaint in the above-referenced matter, ECF No. \_\_\_\_\_, as permitted and approved by the Court's Order of June \_\_\_\_, 2018, ECF No. \_\_\_\_\_. Upon the filing of this Notice of Amendment, the underlying Complaint is deemed amended to add the individual(s) listed below (the "New Plaintiff(s)") as plaintiff(s) raising claims against the Kingdom of Saudi Arabia. The underlying Complaint is deemed amended to include the factual allegations, jurisdictional allegations, and jury trial demand, as indicated below, of (a) the Consolidated Amended Complaint as to the Kingdom of Saudi Arabia, ECF No. 3463, or (b) the Complaint Against the Kingdom of Saudi Arabia, Ashton v. Kingdom of Saudi Arabia, No. 17-CV-2003 (GBD)(SN) (S.D.N.Y. Mar. 30, 2017), ECF No. 1, as well as all causes of action specified below. The amendment effected through this Notice of Amendment supplements by incorporation into, but does not displace, the underlying Complaint. This Notice of Amendment relates solely to the Kingdom of Saudi Arabia and does not apply to any other defendant.

Upon filing this Saudi Arabia Notice of Amendment, each New Plaintiff is deemed to have adopted all factual and jurisdictional allegations of the complaint that has been joined as

specified below; all prior filings in connection with that complaint; and all prior Orders and rulings of the Court in connection with that complaint.

### CAUSES OF ACTION

Each New Plaintiff hereby adopts and incorporates herein by reference the following factual allegations, jurisdictional allegations, and jury trial demand in the following complaint [**check only one complaint**] and the following causes of action set forth in that complaint:

- ☐ **Consolidated Amended Complaint as to the Kingdom of Saudi Arabia, ECF No. 3463 (check all causes of action that apply)**
  - ☐ COUNT I – Aiding and Abetting and Conspiring with Al Qaeda to Commit the September 11th Attacks upon the United States in violation of 18 U.S.C. § 2333(d) (JASTA).
  - ☐ COUNT II – Aiding and Abetting and Conspiring with Al Qaeda to Commit the September 11th Attacks upon the United States in violation of 18 U.S.C. § 2333(a).
  - ☐ COUNT III – Committing Acts of International Terrorism in violation of 18 U.S.C. § 2333.
  - ☐ COUNT IV – Wrongful Death.
  - ☐ COUNT VI – Alien Tort Claims Act.
  - ☐ COUNT VII – Assault and Battery.
  - ☐ COUNT VIII – Conspiracy.
  - ☐ COUNT IX – Aiding and Abetting.
  - ☐ COUNT X – Intentional Infliction of Emotional Distress.
  - ☐ COUNT XII – Liability Pursuant to Restatement (Second) of Torts § 317 and Restatement (Third) of Agency § 7.05: Supervising Employees and Agents.
  - ☐ COUNT XIII – Liability Pursuant to Restatement (Second) of Torts § 317 and Restatement (Third) of Agency § 7.05: Hiring, Selecting, and Retaining Employees and Agents.
  - ☐ COUNT XIV – 18 U.S.C. § 1962(a)–(d) – CIVIL RICO.

- ☐ COUNT XV – Trespass.
- ☐ COUNT XVI – Violations of International Law.
- ☐ **Complaint Against the Kingdom of Saudi Arabia, Ashton v. Kingdom of Saudi Arabia, No. 17-CV-2003 (GBD)(SN) (S.D.N.Y. Mar. 30, 2017), ECF No. 1 (check all causes of action that apply)**
  - ☐ First Cause of Action to Recover Wrongful Death Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *et seq.* (the Anti-Terrorism Act or ATA)
  - ☐ First Cause of Action to Recover Personal Injury Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *et seq.* (the Anti-Terrorism Act or ATA)
  - ☐ Second Cause of Action for Wrongful Death Damages Pursuant to State Tort Law
  - ☐ Second Cause of Action for Personal Injury Damages Pursuant to State Tort Law
  - ☐ Third Cause of Action for Wrongful Death Damages Pursuant to the Alien Tort Claims Act
  - ☐ Third Cause of Action for Personal Injury Damages Pursuant to the Alien Tort Claims Act

**IDENTIFICATION OF NEW PLAINTIFFS**

Each New Plaintiff is or was a survivor of a person who died due to the terrorist attacks of September 11, 2001. For each New Plaintiff, the following chart lists the New Plaintiff's name, the New Plaintiff's residency and nationality, the name of the New Plaintiff's deceased family member, the New Plaintiff's relationship to the decedent, and the paragraph(s) of the underlying Complaint discussing the decedent and/or the decedent's estate.

	<b>New Plaintiff's Name (alphabetical by last name)</b>	<b>New Plaintiff's State of Residency at Filing (or death)</b>	<b>New Plaintiff's Citizenship/ Nationality on 9/11/2001</b>	<b>9/11 Decedent's Name</b>	<b>New Plaintiff's Relationship to 9/11 Decedent</b>	<b>Paragraphs of Complaint Discussing 9/11 Decedent</b>
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Dated: \_\_\_\_\_

Respectfully submitted,

\_\_\_\_\_

COUNSEL FOR PLAINTIFFS

**EXHIBIT E**



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X

**In re:**

**03-MDL-1570 (GBD)(SN)**

**TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001**

**IRAN NOTICE OF  
AMENDMENT**

-----X

This document relates to: \_\_\_\_\_,

No. \_\_\_\_\_.

Plaintiffs file this Notice of Amendment with respect to the underlying Complaint in the above-referenced matter, ECF No. \_\_\_\_\_, as permitted and approved by the Court's Order of June \_\_\_\_, 2018, ECF No. \_\_\_\_\_. Upon the filing of this Notice of Amendment, the underlying Complaint is deemed amended to add the individual(s) listed below (the "New Plaintiff(s)") as plaintiff(s) raising claims against the Islamic Republic of Iran. The underlying Complaint is deemed amended to include the allegations, as indicated below, of (a) the Federal Insurance and Ashton Plaintiffs' Amended Consolidated Complaint Against Defendant, the Islamic Republic of Iran, ECF No. 3237, or (b) the Amended Complaint, Burnett v. Islamic Republic of Iran, No. 15-CV-9903 (GBD)(SN) (S.D.N.Y. Feb. 8, 2016), ECF No. 53. The amendment effected through this Notice of Amendment supplements by incorporation into, but does not displace, the underlying Complaint. This Notice of Amendment relates solely to the Islamic Republic of Iran and does not apply to any other defendant.

Upon filing this Iran Notice of Amendment, each New Plaintiff is deemed to have adopted all factual and jurisdictional allegations of the complaint that has been joined as specified below; all causes of action contained within that complaint; all prior filings in

connection with that complaint; and all prior Orders and rulings of the Court in connection with that complaint.

Additionally, each New Plaintiff incorporates the factual allegations and findings contained in those pleadings and orders filed at Havlish v. Bin Laden, No. 1:03-CV-9848 (GBD)(SN) (S.D.N.Y.), ECF Nos. 263, 294, 295; In re Terrorist Attacks on September 11, 2001, 03-MDL-1570 (GBD)(SN) (S.D.N.Y.), ECF Nos. 2430, 2431, 2432, 2433, 2473, 2515, 2516; and evidence submitted at the proceedings before the Honorable George B. Daniels on December 15, 2011 (ECF No. 2540).

### CAUSES OF ACTION

Each New Plaintiff hereby adopts and incorporates herein by reference all factual allegations, jurisdictional allegations, and jury trial demand, including all causes of action against Iran, as set forth in the following complaint [**check only one complaint**]:

- ☐ Federal Insurance and Ashton Plaintiffs' Amended Consolidated Complaint Against Defendant, the Islamic Republic of Iran, ECF No. 3237
- ☐ Amended Complaint, Burnett v. Islamic Republic of Iran, No. 15-CV-9903 (GBD)(SN) (S.D.N.Y. Feb. 8, 2016), ECF No. 53

**IDENTIFICATION OF NEW PLAINTIFFS**

Each New Plaintiff is or was a survivor of a person who died due to the terrorist attacks of September 11, 2001. For each New Plaintiff, the following chart lists the New Plaintiff's name, the New Plaintiff's residency and nationality, the name of the New Plaintiff's deceased family member, the New Plaintiff's relationship to the decedent, and the paragraph(s) of the underlying Complaint discussing the decedent and/or the decedent's estate.

	<b>New Plaintiff's Name (alphabetical by last name)</b>	<b>New Plaintiff's State of Residency at Filing (or death)</b>	<b>New Plaintiff's Citizenship/ Nationality on 9/11/2001</b>	<b>9/11 Decedent's Name</b>	<b>New Plaintiff's Relationship to 9/11 Decedent</b>	<b>Paragraphs of Complaint Discussing 9/11 Decedent</b>
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Dated: \_\_\_\_\_

Respectfully submitted,

\_\_\_\_\_

COUNSEL FOR PLAINTIFFS